

**9-107. Request to withdraw as counsel and order approving substitution of counsel.**

[For use with Magistrate Court Rule 6-107,  
Metropolitan Court Rule 7-107 and  
Municipal Court Rule 8-107 NMRA]

STATE OF NEW MEXICO

[COUNTY OF \_\_\_\_\_]

[CITY OF \_\_\_\_\_]

\_\_\_\_\_ COURT

[STATE OF NEW MEXICO]

[COUNTY OF \_\_\_\_\_]

[CITY OF \_\_\_\_\_]

v.

No. \_\_\_\_\_

\_\_\_\_\_, Defendant

**REQUEST TO WITHDRAW AS COUNSEL**

**AND**

**ORDER APPROVING SUBSTITUTION OF COUNSEL**

\_\_\_\_\_ (name of withdrawing attorney) requests permission of the court to  
withdraw as counsel for the [defendant] [state].

\_\_\_\_\_ (name of attorney) is entering an appearance to represent the

[defendant] [state].

**Withdrawing attorney**

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Signed

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Name (*print*)

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Address (*print*)

---

City, state and zip code (*print*)

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Telephone number

**Attorney entering appearance**

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Name (*print*)

\_\_\_\_\_

Address (*print*)

\_\_\_\_\_

City, state and zip code (*print*)

\_\_\_\_\_

Telephone number

**CERTIFICATE OF SERVICE ON OPPOSING PARTY**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ this motion was  
[mailed by United States mail, postage prepaid, and addressed to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and zip code: \_\_\_\_\_

[faxed by \_\_\_\_\_ (*name of person who faxed*) to the above named person.

The transmission was reported as complete and without error. The time and date of the transmission  
was \_\_\_\_\_ (a.m.) (p.m.) on \_\_\_\_\_ (*date*).]

[e-mailed by \_\_\_\_\_ (*name of person who transmitted*) to  
\_\_\_\_\_ at \_\_\_\_\_ (*electronic address of recipient*)  
which address is on file with the clerk of the Supreme Court. The transmission was successful. The  
time and date of the transmission was \_\_\_\_\_ (a.m.) (p.m.) on \_\_\_\_\_ (date).]

\_\_\_\_\_  
Signature of attorney or party

\_\_\_\_\_  
Date of signature

### **CERTIFICATE OF SERVICE ON DEFENDANT**

I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ this motion was  
[mailed by United States mail, postage prepaid, and addressed to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State and zip code: \_\_\_\_\_]

[faxed by \_\_\_\_\_ (*name of person who faxed*) to the defendant. The

transmission was reported as complete and without error. The time and date of the transmission was \_\_\_\_\_ (a.m.) (p.m.) on \_\_\_\_\_ (date).]

\_\_\_\_\_  
Signature of attorney

\_\_\_\_\_  
Date of signature

**WITHDRAWAL AND SUBSTITUTION OF ATTORNEY [APPROVED] [DENIED]:**

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date

**USE NOTE**

1. This form may be used for substitution of counsel if the defendant is represented by private counsel.

[Approved, effective February 16, 2004.]